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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/555,850

11/07/2005

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PU030150

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03/17/2011

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EXAMINER

AGHDAM, FRESHTEH N

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

03/17/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

Response to Arguments

Applicant's arguments filed August 3, 2010 have been fully considered but they are not persuasive.

Applicant's Argument:

Regarding claims 1 and 7-8, pages 5-6, the Applicant argues that the claimed subject matter is not taught or suggested by Asai "detecting a valid synchronization sequence while measuring a predetermined symbol interval relative to a reference clock".

Regarding claims 13-15, pages 7-8, the Applicant argues that since Asai teaches determining pulse widths by taking a difference between two time values then pulse widths cannot be determined using a counter.

Examiner's Response:

Regarding the first argument set forth above, Examiner disagrees with the Applicant because Asai teaches detecting a valid synchronization sequence (col. 7, lines 54-56) while measuring a predetermined symbol interval relative to a reference clock (col. 7, lines 57-65; col. 11, lines 50-58).

Regarding the second argument set forth above, Examiner disagrees with the Applicant because the aforementioned limitation has been given the broadest reasonable interpretation, which is "determining whether or not the 80 bits in the memory have been accessed (col. 10, lines 27-33)". Consequently, it is extremely well known in the art and/or obvious to use a counter to perform such a task. In other words,

one of ordinary skill in the art would recognize that it is common sense to use a counter to perform such a task. Moreover, Asai teaches all the functional limitations of claim 13.

Regarding the argument made with reference to a state machine, Examiner provided a reference to support her argument (see http://en.wikipedia.org/wiki/State_machine).

Additionally, Examiner would like to direct the Applicant's attention to the fact that, according to MPEP, ***If an applicant disagrees with any factual findings by the Office, an effective traverse of a rejection based wholly or partially on such findings must include a reasoned statement explaining why the applicant believes the Office has erred substantively as to the factual findings. A mere statement or argument that the Office has not established a prima facie case of obviousness or that the Office's reliance on common knowledge is unsupported by documentary evidence will not be considered substantively adequate to rebut the rejection or an effective traverse of the rejection under 37 CFR 1.111(b). Office personnel addressing this situation may repeat the rejection made in the prior Office action and make the next Office action final.*** See MPEP § 706.07(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRESHTEH N. AGHDAM whose telephone number is (571)272-6037. The examiner can normally be reached on 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. N. A./

Examiner, Art Unit 2611

/CHIEH M FAN/

Supervisory Patent Examiner, Art Unit 2611